

REMARKS

This paper is submitted in reply to the final Office Action dated May 7, 2004, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 1, 4, 8-9, 11-12, 16, 19, and 21-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0041138 to Kampe et al. In addition, claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kampe et al., and claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kampe et al. in view of U.S. Patent No. 6,108,699 to Moiin. The Examiner did indicate, however, that claims 2-3, 5-6, 13-15, 17-18, and 20 were directed to patentable subject matter.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Nonetheless, Applicants have amended all of the claims to recite subject matter found to be allowable by the Examiner. Applicants do reserve the right to refile claims directed to the canceled subject matter in a future copending application.

In particular, independent claims 1, 12 and 16 have been amended to incorporate the subject matter of objected-to claims 2, 13 and 17, and these latter claims have been canceled without prejudice. Furthermore, claims 3, 14 and 18, which originally depended from objected-to claims 2, 13 and 17, but which were later amended to independent form in Applicants' prior response and allowed by the Examiner, have now been amended essentially back to their original form, but now depending from claims 1, 12 and 16.

In addition, claims 5 and 20, which were also indicated to be directed to allowable subject matter, have now been amended to independent form, as well as to clarify the nature of the recited received message as "identifying the failed member," which of note, is not for a reason related to patentability. Finally, independent claims 22 and 23 have been amended to incorporate the subject matter of claim 17, which was found to be allowable by the Examiner.

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Applicants respectfully request that the Examiner enter these amendments on the record pursuant to 37 C.F.R. 1.116(a), as the amendments do not raise any new issues, and merely incorporate subject matter previously found to be allowable over the prior art of record. Furthermore, based upon the acknowledged patentability of the subject matter of claims 2-3, 5-6, 13-15, 17-18, and 20 by the Examiner, Applicant respectfully submits that claims 1, 3-12, 14-16 and 18-24 are now in condition for allowance. Reconsideration and allowance these claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

3 JUNE 2004

Date

Respectfully submitted,



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